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International Business Machines Corporation*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

THE SCO GROUP, INC.,  
  
Plaintiff/Counterclaim-Defendant,  
  
v.  
  
INTERNATIONAL BUSINESS MACHINES  
CORPORATION,  
  
Defendant/Counterclaim-Plaintiff.

**[PROPOSED]  
ORDER GRANTING IBM'S MOTION  
FOR LEAVE TO FILE SUR-REPLY**

Civil No. 2:03CV-0294DAK

Honorable Dale A. Kimball

Magistrate Judge Brooke C. Wells

Based upon Defendant/Counterclaim-Plaintiff International Business Machines Corporation's ("IBM") Motion for Leave to File Sur-Reply, and for good cause appearing thereon,

IT IS HEREBY ORDERED that IBM may file a sur-reply memorandum approximately 40 pages in length in response to Plaintiff and Counterclaim-Defendant The SCO Group, Inc.'s ("SCO") reply memorandum in further support of its objections to the magistrate judge's order on IBM's motion to confine.

DATED this \_\_\_\_ day of April, 2007.

BY THE COURT

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U.S. District Court Judge  
Dale A. Kimball

**CERTIFICATE OF SERVICE**

I hereby certify that on the 20th day of April, 2007, a true and correct copy of the foregoing was electronically filed with the Clerk of the Court and delivered by CM/ECF system to the following:

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